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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 30th October 2009

No. 9837—li/1(B) 59/2002-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award dated the 26th August 2009 in I. D. Case No. 16 of 2008 of the Presiding Officer, Industrial Tribunal , Bhubaneswar to whom the Industrial Dispute between the management of M/s Jatni Service Station, Jatni and its workman Shri Susanta Kumar Mohanty was referred to for adjudication is hereby published as in the Schedule below :—

### SCHEDULE

INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 16 OF 2008

Dated the 26th August 2009

*Present :*

Shri P. C. Mishra, o.s.j.s. (Sr. Branch),  
Presiding Officer, Industrial Tribunal,  
Bhubaneswar.

*Between :*

The Employer, M/s Jatni Service Station . . . First Party—Management  
At Ramachandrapur,  
P.O./P.S. Jatni  
Dist. Khurda.

And

The President, Jatni Banijya Pratisthan . . . Second Party—Workman  
Karmachari Sangh, At Raja Bazar  
(Khuntia Lane), P.O./P.S. Jatni,  
Dist. Khurda.

Shri Susanta Kumar Mohanty  
S/o Late Sidheswar Mohanty  
At Bada Ichhapur (Bachhara)  
P. O./P. S. Jatni, Dist. Khurda.

*Appearances :*

For both the parties	..	None
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**AWARD**

The Government of Orissa in the Labour & Employment Department in exercise of powers conferred upon them by sub-section (5) of Section 12, read with Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. 3923—li/1(B) 59/2007-LE., dated the 29th March 2008.

“Whether the action of the management of M/s. Jatni Service Station, At Ramachandrapur Bazar, P.O./P.S. Jatni, Dist. Khurda in terminating the services of Shri Susanta Kumar Mohanty, Pump Attendant w.e.f. the 12th April 2005 is legal and/or justified ? If not, what relief Shri Mohanty is entitled to ?”

2. In this case the second party workman has filed his claim statement . The Management despite notice did not file its written statement and was set *ex parte* vide Order dated the 28th May 2009. The second party workman was thereafter noticed for *ex parte* hearing, and inspite of notice he did not appear. From the conduct of the workman it can safely be presumed that he is no more interested to pursue the litigation. In absence of any evidence it is not possible to answer the reference in any manner. Hence, a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. C. MISHRA

26-8-2009

Presiding Officer  
Industrial Tribunal, Bhubaneswar

P. C. MISHRA

26-8-2009

Presiding Officer  
Industrial Tribunal, Bhubaneswar

By order of the Governor

K. C. BASKE

Under-Secretary to Government